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THE
CANTERBURY PATRIOT:

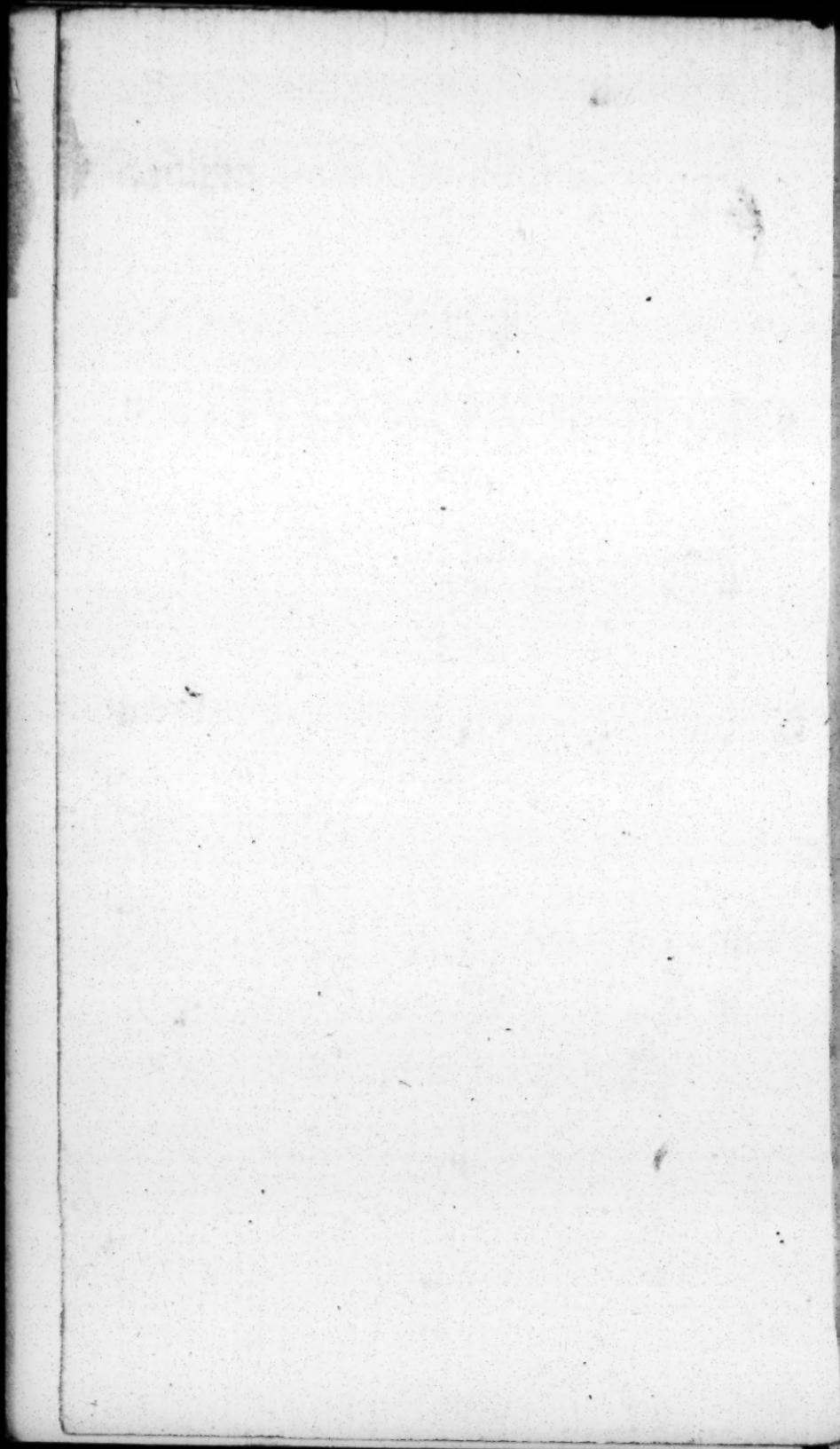
OR,

The late Mayor's New Mode

OF

Defending LIBERTY, PROPERTY, and the
PRIVILEGE of the PRESS.

[Price ONE SHILLING.]



THE
CANTERBURY PATRIOT:

O R,

~~516.C.26~~

The Late Mayor's New Mode

OF

DEFENDING LIBERTY, PROPERTY,

A N D

THE PRIVILEGE OF THE PRESS:

IN

A NARRATIVE of a LAW SUIT,

Commenced against

Mr. WILLIAM FRANCIS of this City,

FOR THE

RECOVERY of MONEY obtained at GAMING.

By THOMAS ROCH,

AUTHOR of *The Abuse of Corporation Government.*

The English Law, as planted first, was like the English Oak, shooting its spreading Arms around, to shelter all that dwelt beneath its FRIENDLY Shade.

FARQUHAR.

PRINTED FOR THE AUTHOR,

And sold by RICHARDSON and URQUHART, at the Royal Exchange; and J. TOWERS, at No. 111, in Fore-street, near Cripplegate, LONDON. 1773.

H.C.

TO THE YAL



A

NARRATIVE, &c.



S the Law-Suit which I commenced against Mr. William Francis, of this City, for the recovery of money, which he (in partnership with Mr. Teele) obtained of me at a game, called, Two-handed Whist, has been the subject of much conversation, and strenuously defended by a set of gentlemen, who call themselves, Men of Honour, and have endeavoured to make it appear to the Public, that I had no grounds for such process, but merely taking the advantage of that law which entitled me to such recovery. As I am confident that there is not one person in fifty who knows the true state of the case, or the principles on which I acted, I shall, by a faithful Narrative of the whole affair, endeavour to convince the world of the justice and public utility of my proceedings. When

B causes

causes of this kind are litigated, it is too frequent, for the party who has least matter of vindication, to endeavour at supporting their cause, by attempting to destroy the reputation of their opponent; and, as I have had Men of Honour to deal with, I have met with such a plentiful share of such sort of defence, as will, I hope, justly apologize for both the stile and remarks which I shall make on this occasion: and, as the intent of this publication is to vindicate my proceedings, I shall bring in every material circumstance, and such things as passed in conversation, as fair and honest evidence on the trial.

To bring this Contest near upon a level between the parties, I have been represented as a disorderly person and common gamester; these are charges which require but little vindication, as those who have known me above thirty years, have very rarely seen me shew the appearance of excess, and scarcely seen me in a tavern, or absent from business, till eight or nine of an evening: about which hours I frequently meet my friends at the tavern; and, as Whist is

the

the too general amusement, I engage in it with the same freedom and spirit that prevails in the company; but it has been of such trifling consequence to me, that, except what I have lost with these Men of Honour, if I were put to my oath, I cannot declare, whether I have been a winner or loser, to the value of Five Pounds, in the course of my life; nor have I, in the space of Fifteen Years, spent Five Irregular Nights, except in company with one or both of these men. Indeed, when I have passed my usual hour, there are few men more unguarded; but the company which I have generally kept, are men of such reputation, that no man in an unguarded state could be injured by them. I have often heard it observed, that men who meet to play for amusement, should never admit a man amongst them who is known to be a common gamester; for men who make a science of it, generally keep themselves sober; and, if they have an object in view, can wait, like patient anglers, till the gudgeon is inclined to take the bait.

I shall now relate this affair as I told it to Mr. Teele and Mr. Francis, in the presence of sixteen gentlemen, who were invited for that purpose. In the beginning of January last, at about twelve at night, when most of the company were departed, and, at a time that I was a proper subject, Mr. Teele proposed a game of Two-handed Whist, to be played between Mr. Francis and me: at first I refused it, but was soon prevailed on; this is a game at which I had several times before played with each of them, and being a game of very little art, and in which every single honour is reckoned, they neither of them before could gain any advantage of me; but then, indeed, I never before played for so much money; nor can I recollect, that before that night, I ever objected to any man's cutting or shuffling the cards. Mr. Sladden, the attorney, remained with us several hours, during which time there was but little difference in the game; just before he departed I objected to Francis's manner of cutting the cards; at which Mr. Teele laughed, and said, He did believe, that

Francis

Francis knew as much about cutting the cards as he did ; but soon after Mr. Slodden's departure, Mr. Francis had the good luck to win seven games successively. I still continued objecting to the manner in which he handled the cards, and was as frequently laughed at by both. I soon became possessed of that spirit which generally attends a losing man, and proposed to advance the game, which was directly and genteelly complied with ; and, Mr. Teele, being confident that he could depend on his partner, went home ; the first time I ever knew him quit a card table when there was any money playing for ; but before he departed (to keep me in spirits) he said, He never saw a man bear drubbing with such temper as Roch did. We continued playing till near two o'clock in the afternoon of the next day, at which time, Mr. Francis was obliged to go home, having appointed some friends to dine with him ; but, on my pressing of him for another chance, he agreed to meet me at his own house in the evening. We met a few hours after, and on his shewing me two

new

new packs of cards, which he said he had just purchased, I desired to play with each pack alternately, as is customary, when a sum of money is played for; but this he absolutely refused; and on desiring to know the reason of it, he said, He had no more cards in the house, and did not chuse to have both packs spoiled; this I thought a very trifling excuse, in regard to the money we played for; but not caring to enter into an altercation, that might prevent our playing again, I consented, and at first setting off, Mr. Francis won nine games successively; during this time, I was so stupid, that I made many revokes, of which Mr. Francis took no notice; but on my saying, That I perceived he was able to give me any thing, he then grew strict, and insisted on the penalties. I believe it is well known, to those who have played with him, that even for sixpences, no man can be more strict on every little severity of the game. We continued playing till near four o'clock in the morning, and then, at my earnest request, Mr. Francis consented to another meeting, at my house, the evening

ing following: at which meeting, before we engaged, I gave Mr. Francis a bag, which I told him contained eighty guineas, assuring him, at the same time, that he should have every shilling he won of me. Mr. Roch, said he, I do not in the least doubt it, I know who I play with: this was a pretty sum to encourage industry, and at first setting off he again won nine games successively. During this engagement, Mr. Teele did me the honor of a visit, but finding Mr. Francis fully sufficient, I made an apology for not admitting him. Through the whole course of our play, there was not a disagreeable word that passed between us, except when I objected to his handling the cards; but, at last, perceiving him separating some of the cards, and putting them together in a very unusual manner, and recollecting that he had done so several times before, I asked him what a d—l he was doing with the cards; and when he had dealt them, I examined and shewed him several of them, and charged him with marking them with his nails by his manner of cutting; to which he replied as usual,

that

that he had a right to shuffle and cut as he pleased, and I might do the same, when it was my turn to deal ; and such were the answers he generally gave to my frequent objections. Soon after this we separated, which was the third and last meeting ; during which meetings, Mr. Francis figured on me about Two Hundred Pounds. It may here, with great propriety, be asked, Why I continued playing with him, when I so frequently objected to his manner of handling the cards ? But let any reasonable man consider, that I was prevailed on to engage in this affair, after spending the evening at a tavern, and at an hour that invited any reasonable man to rest ; for, from the morning before, till the time I left off, which was, at least, Sixty-six Hours, I had not Two Hours Rest ; and, during most of the time, was in such a state, as rendered me rather the protection, than the prey of any neighbour. Add to this, the unhappy passion that frequently attends an intoxicated losing man : and, indeed, the cards ran in such an alluring manner, as might have tempted a sober man ;

man; for, of most of the games which I lost, I had the advantage in the beginning, seven, eight, or nine in a game, and gone in an instant.

WERE I a man in the character of a gamester, or prone to acts of intemperance or extravagance, this might be deemed a common pursuit; but in a singular circumstance of this kind, a man in a fever may as well be charged with an act of imprudence. When I had slept myself into part of my senses, I reflected on so many passages and circumstances, as inclined my conscience to think, that I had been cheated; but as I had no evidence, this was rather an aggravation than a consolation, and knew, that if I made the least dispute, it would appear a mean evasion, so was determined to pay the money. A few days after going by Mr. Teele's house, I called in, and mentioned something about the play. Roch, said he, you have had a damn'd hard run. Hard, indeed, said I, but be assured you shall have every farthing of the money. I do not, said he, in the

least doubt it, and after drinking a glass of wine, I departed; but in less than a minute I returned. Teele, said I, there is now remaining unpaid, about a hundred and twenty pounds; as it has been an unlucky job, strike off the odd twenty; you may mention it to Francis, as from yourself; but I declare I will not. Will you then, said he, pay the money directly. Its not so convenient said I, at present: you shall soon have fifty guineas, and I promise, that you shall not be a year without the rest; this was on Thursday, and the Saturday following we were at the Fountain as usual; but not receiving any answer from Mr. Teele, till five days after; at which time, he told me (though I had seen them together several hours) that he had not had an opportunity of speaking to Francis. I soon discovered, that the Gentlemen could not admit of such an abatement from the profit of their job. This, I confess, greatly exasperated me, and I formed a scheme to get an evidence that might vindicate me in prosecuting him. I considered, that the expressions which he frequently

frequently dropt, in vindicating the charges I made in regard to his shuffling and cutting, would have been proof sufficient, if any one had heard them, and thought, that if I could draw him into a private conversation, within hearing of another person, that some of the same expressions might drop from him ; this, at first, to me, had a mean appearance, but, when I considered, that, if neither his roof, nor my own, could prove a sanctuary for me, I thought any place was justifiable to make a discovery : for this purpose, I prevailed on Mr. Petts, grocer, near the Fish-market, (who with some reluctance undertook it) a man, of as fair a character, as any in our city, who had no interest in me, nor prejudice to him. I am obliged, on this occasion, to mention his name, as it has been positively asserted that I had no such evidence. Being thus prepared, Mr. Francis, by invitation, came to my house, in order to settle ; for as he kept all the accounts, I did not, till then, know, exactly, what I owed him. I began, by asking him the sums which he won at the different sittings, and desired him to

set them down, which he did, and likewise the money which I had paid him, and then made the balance. I then asked him, Whether Mr. Teele had half the money which I had paid? and, Whether he went partner with him in the whole? He answered; That Mr. Teele had half, and went equal share in all. I then mentioned the success that he had, and told him, That I thought it very extraordinary, his winning seven games at one time, nine at another, and nine more at another. To which he answered, That the cards had, indeed, a most surprizing run. ‘ Sir, said I, I do not attribute it so much to a lucky run of the cards, as to the manner in which you cut and shuffled them: You know I made frequent objections to it, and often told you, that as I was such a considerable loser, and you saw it fretted me, that you would not have continued it, if you had not a view in it. Sir, I even shewed you the cards where they were marked with your nails by your manner of cutting them.’ To this charge he replied in these words, “ I had a right to “ do so, if I could prevent cutting an ho-
“ nour.”

"nour." The charge seemed to cast him in some confusion, and with a forced smile, he got up and walked about the room, and on perceiving that he did not appear to be in a humour for business, I told him we would take another opportunity to settle it, and so he departed. I then called Mr. Petts from his retreat, and asked him, Whether he had heard every thing? He said, "He had very distinctly;" and, said he, "I heard him, in particular, say, That he had a right to mark the cards with his nails, to prevent cutting honours; but" said he, "he is a gentleman."

ON Mr. Francis declaring, that Mr. Teele was partner in all, I recollect that I met Mr. Teele after the second meeting, and told him I had had bad luck. Aye, said he, Francis tells me, that he has won above eighty guineas. Aye, said I, and sixty to that. What! said he, have you had another meeting; and being answered in the affirmative, he said, By G—d, he did not know it. This I thought very extraordinary, that two men, who are as shy

of

of each other as gamesters generally are, and are observed scarce ever to play or lay a bett with each other, should, on this occasion, have such a good understanding, that one of them was to have share of the money, and at the same time knew not that the other played for it. The Saturday evening following I met Mr. Francis at the Fountain, and told him, That as we had left our affair unsettled, we would withdraw into another room, and as Mr. Slodden had been one of our party, would request him to be present. To this he consented, and when we were together, I began by mentioning the eighty guineas that I had paid him. To which he made no reply. Mr. Francis, said I, you know that I have paid you eighty guineas. He replied, I have no answer to make to it. Why, will you not allow, Mr. Francis, that I have paid you eighty guineas? I know, said he, what you owe me, and have no more to say to it. Sir, said I, you need not act with so much caution, for when you were last in my house, I had a person concealed in the room, who heard you own

to

to the receipt of the money, and as you are arrived at the art of cutting the cards, I now deliver you up to law; Mr. Sladden has an order to prosecute you. If the most dreadful instrument of destruction had been presented to him, he could not have appeared more terrified than he did at these words; but I being moved with compassion, equal to that of Lucy Locket's, at Macheath's misfortune, and not caring to see a great man in distress, I quitted the room, and left Mr. Sladden to comfort him. He some time after joined company, but did not say a word the whole evening. Mr. Sladden remained with Mr. Teele and him after the company broke up. I asked Mr. Sladden the next day, What passed between them; he said, That Francis damn'd the forty guineas, and did not mind them; but he believed it would be very difficult to get a return from Teele. The next day, Mr. Sladden came to me with a message from Mr. Francis, and thus delivered his embassy: "Francis," said he, "says, you are a very good man, and he does not care to have any dispute with
 " you

" you, therefore requests, that you and I
 " will meet Mr. Teele and he at his house,
 " tomorrow, to dine with him, and make
 " this affair up." " Pray, Sir," said I,
 " my compliments to Mr. Francis, and tell
 " him, that the caution which he used, in
 " refusing to own the receipt of the eighty
 " guineas, has taught me be on my guard,
 " and as he had such an advantage of
 " me when I was drunk and stupid, he
 " shall never get me in his power whilst I
 " am sober." I was surprized at receiving
 such a genteel invitation from Mr. Francis,
 after the manner in which I had charged
 him. I believe, if any man had attacked
 me in that manner, I should hardly have
 given him an invitation of that kind. Mr.
 Slodden came again, and told me, That he
 was so desirous to make it up, that he
 would leave it to two of my own friends :
 and thinking, I suppose, that I did not
 know my own friends, he mentioned two,
 and Mr. Charles Noble was one. I smiled
 at his tacking the name of friendship to
 Mr. Charles Noble, and said, That I had
 much rather submit it to two of his own
 brothers,

brothers, than take the advantage of such a partial arbitration; that, if I did submit it to arbitration, it should be to two gentlemen of fortune, naming one; such as had knowlege to distinguish, and whose stations advanced them beyond influence: But, said I, don't you know, that my council says, the money is certainly recoverable. To which he answered, ' Yes.' And don't you know, that my evidence is sufficient to justify me to the world. ' Undoubtedly, said he, it is.' Then, be assured, said I, that I will not submit it to arbitration: I am determined, in this case, to make a precedent in law; therefore proceed directly. ' Why, faith, said he, I cannot, for Francis, and his brother, and several of the family, have been such good clients to me, that I dare not engage in it, for fear of disobliging them.' Sir, said I, you have behaved very ungenteelly in attending this case, till you are become acquainted with the force of the evidence, and my council's opinion, and now talk of declining it. ' Well, said he, I will soon give you an answer, and departed.' Indeed, Mr. Sladden was not the man that I

should have chose on this, or any occasion ; but being one of the party I thought him most convenient, and being now entered into the service, I did not care to see him desert to the enemy, and carry off the arms and ammunition ; nor did I know he was so connected with the family. He soon returned, and with a very cheerful countenance said, ‘ Now I can undertake the cause—I have been and asked Francis, ‘ and he approves of my acting against ‘ him : and now, said he, to convince you ‘ that I will be your *true* and *faithful* at-‘ torney, both your council and you shall ‘ examine every part of my proceedings.’ But in this he was far from being as good as his word, and, I believe, the sequel will prove that he never intended it. Soon after this the action was served, and Mr. Slodden told me, That Francis desired to know, whether I intended to make the affair public. ‘ Why, said I, he cannot imagine, that I mean to keep it a secret, after serving him with an action ; but, if he desires it, I shall not mention it till I hear he does : But, faith, Slodden, said I,

I think

I think it a crime to conceal it.' From this time, for above four months, I was so punctual to my word, that no man knew it from me; and we met, as usual, in company; and though there was no familiarity, yet there was not the least appearance of any difference between us. Mr. Slodden one day told me, that Mr. Francis asked him, Whether his agent in London knew the suspicion on which I proceeded against him; but, said he, I have made him easy on that point. What! said I, does not your agent know the chief motive on which I proceed?

' No, said he, nor is there occasion for it: all that we have to do is, to prove so much money received at gaming, and then it is certainly recoverable.' Sir, said I, you know I never would have commenced the suit on that principle; therefore, I insist, that every thing be made fully to appear in the proceedings, and, that the brief be charged with every circumstance and evidence, that can, in this case, justify me to the world. To which he answered, ' There will be no occasion for it; for, I know Francis will not stand trial; he will certainly pay the money.' What can

be the reason, said I, he does not pay it directly? ‘ Why, death, said he, or *something* may happen; he will stave it off to the last.’ At the same time he told me, That he had defended Mr. Francis in an action something similar to mine, at the suit of a man at Folkstone, and, that he had relieved him from it by putting it into Chancery. This discovered to me the reason why it was to be kept a secret from the agent; for two actions of the same kind would be rather too much for one man to know. I asked Mr. Sladden one day, in a jocular manner, What he thought the world would say, when it was made public? ‘ Why, said he, it will make a damn’d noise; but, d——n it, what can any one say, when a man says, he has a right to cut;’ [and at the same time imitated the manner in which he had seen him cut the cards] then mentioned one of their names, and said, ‘ This affair will KNOCK HIM UP.’ This I mention, to shew what his private opinion was of the cause, who knew every circumstance from the beginning, whilst the cause lay in embryo. I

asked

asked Mr. Sladden several times how it went on, and, as he promised, I every day expected to see a copy of the declaration ; but the more I spoke to him, the less communicative he appeared to be, and could scarcely get any answer from him, but, *Aye, No ; Certainly* ; or, *Not a bit of it* ; and, indeed, *Certainly* ; or, *Not a bit of it*, were such frequent expressions, that I began to think they were New technical terms in the law. Thus we went on, till one doleful Saturday evening, on which he came to me : ‘ D——n it, says he, we are all at a stand, I have just received a letter from my Special Pleader, and he says, our evidence is not sufficient, we must put this cause into Chancery ; let us go directly to Counsellor Newman.’ Away we went to Counsellor Newman, where he produced his letter. The Counsellor said positively, That the evidence we had was fully sufficient, and asked for a copy of the instructions he had sent to his agent ; They are at home, said he. Well ! let me see them. Why, answered he, that is all ; I only informed him, that our evidence was

a private conversation. At this, I confess, Mr. Newman stared; but said, He did not chuse to enter into disputes with those whom he was concerned with in business. So to Chancery we must proceed. Nothing could be stronger than the evidence I had: Mr. Petts heard Mr. Francis own to the receipt of the money, saw the sum which was figured down by himself, and heard every other circumstance, as to the cutting of the cards, &c. but nothing of this appeared in the instructions: No; *Not a bit of it*; and his agent must have been a conjuror indeed, if he had discovered the motives on which I sued him. Upon our going to enter into Chancery, we found the door just ready to be shut against us; for, on examination, we discovered that it was drove off to the very last day, the law allowing but three months for that process from the commencement of the action; so the lawyers were obliged to work all Sunday to save tide: to such a length was it *staved off*; in which time, as Mr. Sladden observed, *death*, or *something* might have happened.—About this time,

Mr.

Mr. Teele was standing at the end of Rose Lane, and seeing me in the street, beckoned to me; I went to him, and he led me up the lane; as he always spoke to me of this affair in a very private manner, he began, by telling me, I acted very ungenerously, in suing for the money after I had promised him to pay what was due. I own, said I, that I did promise to pay it, but at that time I had no notion of procuring evidence to justify me to the contrary. Roch, said he, you have hitherto supported a fair character, but, by G—d, you will lose it, if you pursue this. Indeed, said I, I am of a very different opinion; for, I am in hopes, that the prosecution of this affair, will greatly add to my reputation, when it is made public. D——n it, said he, I don't know why it should be kept a secret; by G—d, I was going to mention it last night at the Fountain, but Francis would not let me; and after some altercation, he said, D——n it, Roch, we don't mind the money, if it affects your circumstances. It does not, said I, greatly affect my circumstances; but, be assured, I will not accept

accept of it in that manner, I am determined to recover it by law; then, by G—d, Roch, said he, you never will get it. On this I made a motion to leave him; but he said he would go to my house and drink a glass with me, where we sat some time; and as I did not chuse to revive the subject, we talked of indifferent things till he departed. I then reflected on his positively swearing that I never would recover the money; and being well informed, that no book, or bond debt, was more certain or easy to recover, I was at a loss to know from what Lawyer he could have such information. The Chancery Bill of Enquiry being now served, I desired Mr. Sladden to shew me a copy of it: this bill contains a power to call on the defendant, to answer on oath to every thing relative to the suit. I was present when Mr. Sladden took Mr. Pett's deposition, for the Counsellor to draw the bill by, and nothing was omitted; but, on examination, I found there was no mention made about, Cutting the Cards. No; *Not a bit of it.* I asked Mr. Sladden why the most material question was omitted.

He

He answered, as before, That we had nothing to do but prove the debt ; that he knew there was no occasion for it, and that Francis would certainly pay the money. I was present when he took the deposition : and in that deposition, Mr. Petts declared, that Mr. Francis answered, when being charged by me, That he had a right to MARK the Cards with his nails, if he could thereby prevent Cutting an Honour. And Mr. Sladden allowed, on my asking him, That I had a right to charge him on oath to answer to it ; yet, though it was so fully expressed in the *Deposition*, it was entirely left out in the Bill of Enquiry. This may appear very strange, that so material a point was neglected, when I had so frequently charged him to omit nothing in the Proceedings that could vindicate my cause and my character. I should not declare this circumstance, if I had not a Copy of the Deposition, and the Bill, in his own handwriting ; having before told me, that he had relieved him from a suit by casting it into Chancery, and finding he seemed determined, that his agent should know nothing about Cutting the Cards, I became deter-

mined that the Public should know it. And though Mr. Francis and I were at war, yet I imagined that a line of communication was kept open between my General Attorney and he; therefore I desired him to tell Mr. Francis that I would no longer keep it a secret; but you may assure him, that in the publication, I will take no advantage of him; and this being on Thursday, I appointed the Wednesday evening following: and to let him know, that I would appoint a set of such men to hear it, as no man could expect a partial hearing from; and, as I had, till that time, kept it a secret, not a man of them should know the purpose till we met, and hoped he would punctually observe the same, and be there with Mr. Teele: and I was so impartial in the affair, that I invited his own Brother, Mr. Hopkins Fox, and Mr. Jennings; this I thought was playing a fair game; but he could not forbear *cutting*; for that very day the Doctor injected his story into the ears of his friend and companion Alderman Royle: and as soft subjects take deep impressions, he directly became his warm advocate. No time, on
this

this occasion, was lost, for before the Sunday evening following, several of my intimate friends had heard the story so much to my prejudice, that they were ashamed to mention it to me ; and scarce a gentleman that I invited, but what was prepared to hear it. We met, to the number of eighteen, at the King's Head Tavern, where I acquainted the Gentlemen, that the intention of our meeting was to inform them of a dispute that subsisted between Mr. Francis and me ; and as it was of a nature that might be disagreeable to give an opinion on between neighbours, I requested, that for the present, they would only give it a hearing, without making any observations on it. I then related the whole affair, exactly as I have here delivered it, so far as it regarded Mr. Francis ; but, as he had acted so meanly, in preparing the auditors with a story made on the occasion, after I had so long, at his request, kept it a secret, I delivered my sentiments with remarks, and in a stile, different from what I intended. The only Defence which he made, in regard to his winning such a number of

games, at a game, which before he could never gain an advantage of me, was, That he learnt it a few evenings before, by looking over a Gentleman who played with me, and there obtained the true principles of it, which gave him such a superior advantage; but as that Gentleman is well known, I believe, on enquiry, it will appear, that he never played the game twice before: and, I am fully confident, that no one will believe, that he learnt the principles (by which he won of me) from that Gentleman. Next, he said, that it was impossible for him to play any tricks with the cards, for they were all new. To which I answered, That if he could not, it was well known, that they who practised it, could do what they pleased with any pack that was given them. This was all the defence that he made; and every Gentleman that was there present, can witness, that he appeared so awe struck, at the charge I made against him, that he could scarce find utterance. I was then asked by one of his principle friends, Whether I would leave it to arbitration? Which, I

absolutely

absolutely refused : and told them, that as Gentlemen Gamesters inculcated such notions in their patients, as made it appear dishonourable to refuse paying such debts ; that I would pursue this affair, till I made it appear dishonest to pay them : and, as few men were so circumstanced in life as I was for such an undertaking, having no creditors to dread, or family to make uneasy, that I would not receive the money, if laid down in an amicable manner ; but pursue it, till I made it a publice and useful example. This so irritated three of Mr. Francis's principal friends, that notwithstanding my request, they could no longer contain themselves ; but the appellations which these Gentlemen have given me, being such as Rogue, Scoundrel, Villain, &c. that I scarcely know in what characters to introduce them on the stage. But I shall first begin with Sir Thomas Strumbalo, the Lime-burner, who, I observed, had for some time been collecting matter, and by a rumbling motion in his intestines, appeared prepared for an eruption ; so standing up as an advocate for his b——r,

he

he discharged himself in the following speech.

THE SPEECH of SIR THOMAS.

“ You are a d——d Scoundrel! And
 “ I--I--I'll be d——d ! if ever I keep you
 “ company.”

NEXT rose the Marquis of Nackington; but I cannot positively affirm which side he was really inclined to; for, as I am no conjuror, I never pretended to know what he meant by what he said.

Poor Tony Lumpkin seemed to be in a violent rage, and asked me, If I had invited him there to prove Mr. Francis a rogue; but I looked on what he said as meer matter of gratitude, for the many favours which he and his family had received from that quarter.

There was but one Person more who spoke on the occasion, and he being quite an independent Gentleman, and having but little

little connection with either of us, gave his sentiments on the charge and defence, with such freedom, as has rendered him very disagreeable to the Men of Honour.

WHEN I first waited on George Gipps, Esq; the Mayor, to invite him to the meeting, I found that he was fully acquainted with Mr. Francis's story, and prepared to defend it, and at his request I related part of it ; but he could discover nothing in it to the prejudice of Mr. Francis ; and when we met at the King's Head, I observed, that he coined his countenance in a magisterial stamp, and cast a brow of disapprobation to what I said on several in company ; and, indeed, except the three which I have mentioned, he was the only man in company who did not appear, at that time, to give it a favourable reception ; but this was no matter of surprize to me, and some others, who knew the connection that there was between them. As soon as the company separated, the emissaries that were employed on this occasion, directly spread it all over the town, that every person in company

pany condemned me; that I had nothing to alledge against Mr. Francis, and that I had basely aspersed his character, upon no foundation, but the recovery of my money. I found, from the first opening of this affair, that every influence was urged, to procure advocates of *Honour* to support him: and two of my old friends, Mr. Charles Noble, and Mr. Abraham Rye, men, who are seldom in the same pursuit, except a reputation be the game in view, on this occasion, were coupled together, and held ready to be slipt* at me. I met several friends, who asked me, what the clamour was between Francis and me; and, on asking them, whether they had not heard it; they said, that they only heard that every body condemned me, and, that I had attempted to ruin an innocent man's reputation. On this, I asked several of the Gentlemen who had been at the meeting, Whether they had given their sentiments,

* A term for loosing the hounds when the hare is in view.

as was publickly reported? And they declared to me, that they had not; nor did they chuse to give their opinion on it; for as there was such a junto raised on the occasion, and such a universal clamour, it would only create themselves enemies, in declaring their sentiments, as the case appeared to them. One of the Gentlemen told me, He was not surprized at hearing my character treated in the manner it was on this occasion; and observed, that men who defended such an action, were, in general, qualified to say any thing: and as they were defending an *honest* man's character, they might, with safety, loudly clamour against me; whilst those who judged that I was in the right, would be cautious in giving their sentiments; and assured me, That to his knowledge (as their family, and family connections were large) that every engine was set to work to endeavour to bring him off: and, indeed, I soon found his words were true; for I had such incessant applications to leave it to arbitration, that I plainly perceived the engines were moving: amongst the rest, the Right Wor-

shipful George Gipps came to me, whom I absolutely refused, and told him, I was determined to continue my suit: and on entering into conversation on the subject, he told me, ‘ That I was a *Fool* for playing ‘ with Francis,’ and said, ‘ By G—d, he ‘ would not.’ Now, as his Worship is known to be as good a fair player as any in this city; and, it is as well known, that for some years past he has declined playing with him, except by accident; I should be pleased to know his reason for saying, By G—d, he would not play with him.—His Worship was not satisfied with one denial, but came twice after; and as I knew it was a case in which he ought not to have appeared, I thought he pressed me to a degree of intrusion. Being tired with his importunity, I requested he would no more mention it to me, and told him, that it gave me pain to deny him. Soon after this Mr. Slodden came to me, and told me, that Mr. Newman desired to speak with me, at such an hour. I attended, and found Mr. Slodden there. Mr. Newman directly proposed my leaving it to arbitration; which I absolutely refused, and asked him

him his reason for it, as he had always told me my suit was certain. He allowed that it was certain ; but gave such reasons for leaving it to arbitration, as bore but little weight with me ; especially, as they were never urged before. On which, I told them, that I had employed them as my lawyers ; that I only wanted them as such to do their duty by me, and I was determined to stand to every consequence. One might imagine this sufficient from a client to his lawyers ; but it was not, for I perceived that my attorney appeared greatly disappointed ; and Mr. Newman kept pressing of me, till I could not avoid consenting to leave it to the Recorder and himself, who were council on each side. I have often wondered that Mr. Newman so pressed me to arbitration ; but yet, I imagine, that he did not, in the least, apprehend that it would have devolved in such a manner, or that I should have received any injury by it. Directly, on my giving that consent, both he and Mr. Sladden said they would go to the Mayor, and get him to propose it. As soon as they mentioned the Mayor (a man whose affiduity had already

cautioned me) I repented that I had given my consent, and could sensibly perceive that the engines were playing against me from every quarter.

I have ever retained the highest sense of gratitude to my neighbours and the public in general, for the many favours which I have received in my business, and always flattered myself, that there were but few men in this city, who stood unsustained by family interest, that could boast of more respectable and real friends than I had ; but as their family, and family connections are extensive, and many tradesmen and others, profit by them, I soon discovered, by the advocates that appeared on this occasion, that a great deal of friendship is given up for a small matter of interest ; and, as the Mayor and Mr. Francis were both Hop Buyers, I knew a connection had long subsisted between them in Hop Intelligence and Speculation. And, as no man living is wise at all times, I apprehended that some men living might not at all times be *honest* ; so meeting the Mayor that evening as he was going to propose it, I told him my mind was altered, that I was determined not

not to leave it to arbitration, and that I must be at Hythe the next day. ‘ Roch,’ said he, ‘ I insist upon it, that you do not go out of town till this affair be settled. ‘ Do, Roch, be advised by your *Friends*, ‘ and let this affair be settled tomorrow.’ And, indeed, he kept pressing of me in such a *friendly* manner, that I could not avoid giving the appearance of consent ; but knowing how the world judges by events, I desired him to consider that my reputation greatly depended on the decision of it. When he departed, I could not avoid reflecting on his uncommon assiduity in this affair ; but, as he must be confident, that the money I sued for was my undoubted right, and, as he always put on such an appearance of *Friendship*, I concluded, that he only wanted to give some little varnish to it in favour of Mr. Francis’s reputation. The next morning he called on me, attended by my Attorney (who now appeared very active) and told me, he was ready to go to the Recorder. To which I consented, and they immediately retired. His Worship came to me some time after, and told me, The Recorder declined the arbitration.

tion. ‘ But, Roch,’ said he, ‘ I have consulted the Friends on both sides, and they earnestly desire ME, to decide it between you. Are you willing, Roch, to leave it to me?’ To this he added such an air of friendship, that I made not the least scruple; and told him, That as he had given himself so much trouble, I would rest it entirely on him; and as he departed from my door, he said, ‘ That Francis knew the conditions, and was very agreeable to them.’ At this expression I was alarmed, and thought it very extraordinary, that he should acquaint Francis with the terms, even before he had power from me to determine it; but still concluded, that he only wanted to varnish him. His Worship immediately returned, and told me, That Francis and the Attorneys waited for me at his house, and that every thing was ready. And, indeed, the instruments of death could not be more expeditiously prepared for a wretch condemned to immediate execution. When we met, I told his Worship, that as he had acquainted Francis with the condition, that I insisted on knowing them. At this he made a pause,

and with his usual air of friendship said, ‘ Roch, leave it to me ;’ and again, with a countenance, that any man might have put confidence in, said, ‘ Roch, will you leave it ‘ to me ? To which I answered, I will leave it to you. He then pressed me in a manner, equal to an oath, to give my word positively to abide by his determination. To which I answered, I give you my word I will. This he knew from me was equal to an oath, and then he pronounced his sentence :

That Francis should keep the money I sued him for ; that I should pay all his Expences at Law ; and be bound never to publish any thing concerning it.

To this I nodded assent, and went home whilst the instruments were filling up, and there ruminated on the *treacherous* manner in which I had been trepanned ; but considering the *solemn* manner in which I had given my word, I was determined not to recede from it, but let the *Infamy* rest on him that had so *basely* betrayed me.

me. I have often repented that I gave my word, but shall never repent that I abided by it; so I went back, and after telling his Worship, that I would not confine myself from publishing the affair, I signed the releases, paid his attorney, told Francis the real sentiments of my heart,—*That I did not wish a Flea to bite him*, and departed. So, instead of varnishing,—his Worship, entirely, at my expence, WHITE WASHED his Friend, in the Year of our LORD 1773, and in the thirteenth Year of the Reign of his Majesty George the Third.

The first Evil that occurred to me, on this occasion, was, That of being deprived of one of the most social blessings of life; for the friendly manner in which he approached me, whilst he was studying to deceive me, has, I fear, entirely destroyed that reliance and confidence, which so greatly adds to the felicity of human Society.

*The poor Bird that has been already lim'd,
With trembling wings misdoubts of ev'ry bush.*

SHAKESPEARE.

If

If I had ever shewn the least inclination to leave it to arbitration, or had appointed any man on the occasion, I certainly had no right to complain ; and tho' he heard me say several times, That I never would submit it to such decision, and that I would pursue it till I made it a public and useful example ; yet he still kept pressing of me till he had me in his power.

Had this been the result of an immediate application to him, and a hasty determination, without being fully acquainted with the cause, there might be the appearance of some excuse in his favour; but he was several days soliciting to bring it to an arbitration, and was fully acquainted with the evidence, and every circumstance, which I had in my favour: and he knew, that without any such evidence, or circumstance, that the money I sued for was my lawful right, the law having wisely provided (to prevent the advantages which Gamesters have over unguarded men) a certain recovery, if more than ten pounds be lost at one fitting; but, I think, I have

G made

made it plainly appear, that I should not have taken the advantage of that law, if I had not reasons sufficient to think I was *cheated*. And if the evidence and circumstances, which I have here advanced, are sufficient to incline wise and honest men to think so, every such man (except a Mayor of Canterbury) must despise me, if I had not prosecuted the man whom I thought had imposed on me. As the sum which his Worship transferred from me to Mr. Francis was full an *Hundred Pounds*, with the expences, I thought he ought not to be destitute of substantial reasons, for so pressing to have it in his power to make such a large transfer of another man's property; therefore I waited on him a few days after, and desired to know his reason for concealing the Conditions from me, and had at the same time acquainted Mr. Francis with them. He very innocently told me, ' That ' Francis desired it might be kept a secret ' from me, lest he should still remain in ' my power.' Is not this very plain, that whilst he covered himself with a Mask of Friendship to me, he had before consulted

sulted with, and was guided by Mr. Francis? I likewise asked him, Why he so importuned me to have the sole decision of an affair of such consequence, when the Recorder of the City would not undertake it? He told me, ‘ That it was at the importunity of my own Attorney, who assured him, that I was so inflexible, that if that method was not taken, they could not succeed in making an end of it.’ Would any Attorney, who had the least regard to his credit, have made such a proposition unknown to his Client, if he had not been sure of his man? Or would any Magistrate have concealed such a proposition from his neighbour, without alarming him of his Attorney’s disposition, if they had not been linked in a chain together? Slodden was present when I desired to know the Conditions, and never gave me the least hint. *No; not a bit of it.* Another argument his Worship used was, That all the games I lost running; as seven at one time, nine at another, and nine at another, might easily have been won in the condition I was in: and, as to cutting the cards, he could

see nothing in it ; for, as a Gentleman of his acquaintance observed, *It might be only fishing for the Ace of Spades*, which differs in size from the other cards. As to the state I was in, I think, his Worship had no right to make that a plea in favour of his judgment ; for as he allowed that I was in a state to be taken an advantage of, it certainly demanded every influence that an honest man could exert in my favour ; and as to fishing for the ace of spades, if a man has that art, and puts it in practice, it certainly cannot be deemed fair play. For at the Groom Porter's, which is the standard of Fair Gaming, if two men lay a bet on the cast of the dye, and if there be the twentieth part of a pound difference, from what is stated as an equal chance, though the money be won, yet the Groom Porter will not suffer it to be paid. His Worship allowed, and said, He really did believe that I thought I had been cheated ; but it did not appear quite clear to him. This must appear a high piece of Modesty in his Worship, to pretend to be a better judge of the affair than the man who went thro'

the

the whole operation : and if he allowed that I was clear in my own conscience, he must be a most absolute Magistrate, indeed, to pretend to controul both Law and Conscience. Indeed, his Worship gave one very neighbourly reason for being so active in it, viz. *His being apprehensive that Francis would indict me on the Penalties of the Gaming Act.* Now, if it were possible, that the Mayor of the City was weak enough to be persuaded, that the winner had a prior right to indict the loser, for being such a fool to lose his money—Can that appear as a plea of tenderness to me, or justify the Chief Magistrate of the City, in coming in person to my house, and from thence inviting, and conducting me under the cover of his own roof ; and there, in the presence of the man, to whom he intended to sacrifice me, refuse, though requested, to let me know the terms ; which terms he had really settled with him, and under such an appearance of friendship, as might have engaged the confidence of any neighbour?— There to strip me of every thing that was in his power, and basely,

like

like a footpad, for fear of a discovery, attempt to bind me, by proposing it as an article, *that I should never publish any thing concerning it?*—Sure, it is such a transaction, by a Chief Magistrate, as will scarce gain credit; and those who do give credit to it, must think that such an act, done in such a manner, would add infamy to the worst of characters—He fell into the hands of one who played me out of my money, and, I fear, at that time, played him out of both sense and principle.

Had a Minister of State even attempted what this Magistrate has actually done, in regard to divesting a subject of his right at law, and the privilege of the press, it would have alarmed the whole nation.—How pressing then must the individual feel it, who has been so egregiously injured by him—the very man who ought to be first in protecting every person in his lawful claim?

As the Courts of Justice are open to every subject, is the Chief Magistrate of

a city to shut the gates against him ? Is there a man in the highest department of state, that would dare step forth and stand between a man and his lawful claim—the Law, which is the birth-right, and natural inheritance, of every free-born subject ? Have we not had a late instance, how precious the established Law appears to every Englishman, when even the altering of a single word in a Record, alarmed the whole nation, upon a surmise (how just I know not) that it gave a check to a fair proceeding ? What then would have been the consequence, if such a man had entirely cut a subject off from the benefit of the Law, and at the same time, by fraudulent means, attempt to seduce him to enter into bond, never to publish it to the world, that both the act, and the cause for which it was done, might be buried in oblivion ? Any man may judge, what the consequence would have been to so great a man in the capital City ; but, if Liberty and Property, are of no consequence here, **George Gipps, Esq;** may stand unnoticed.

In wild, ungoverned countries, when injuries are committed, the injured person, for want of means of redress, frequently flies to desperate measures of revenge ; but where Laws are established, and justly executed, the very prospect of impartial justice palliates resentment, and a fair and candid decision of Law, frequently reconciles contending parties ; but when a man is in possession of that Law, and has the prospect in view, of all the advantages that he proposes to receive from it, and to be cut off from it in a fraudulent manner, by the very man who ought to have protected him in it ; sure, the aggravation is such, as must astonish every man—that the man, thus injured, has not used some desperate measure of resentment ! I have sometimes been astonished to think, what could move such a man, thus earnestly to press, for wresting such a cause from the judgment of the Lord Chancellor, and take the sole decision of it entirely on himself ; and have often attributed it to that vanity, which so frequently attends a Magisterial Office, in men, to whom Fortune, perhaps, may have

given

given some little indulgence. Had he been disinterested in this affair; or had the least intention, or spark of virtue, to incline him amicably to reconcile contending neighbours, instead of stripping me of every thing as he intended, he would have proposed an accommodation between ourselves; but that, by no means, would answer his design, he wanted the sole honour and obligation of clearing him: and, as he was his friend, seemed determined to wade thro' thick and thin, to bring him off with honour. Indeed, my first suspicion and objection, arose from a connection I had long discovered between them: and to confirm that suspicion, I was well informed, a few weeks after his Worship had given Mr. Francis my hundred pounds, that Mr. Francis returned the compliment, and declared, that on his speculation on the state of the Plantation of Hops—that his Worship, by his advice and persuasion, bought up One Hundred Bags of Hops^a. I think, by this, it

^a To an undoubted Evidence, he said, “ That he
“ MADE him buy an Hundred Bags of Hops;” and,
I think, it has appeared, that he could MAKE him
do a great deal.

appears, that I was pretty right in my apprehension—when one man, at one time, shall lay out the sum of *Fifteen Hundred Pounds* on the judgment and persuasion of the other.

This is an imputation, that any man would gladly shake off: And if he can give a reason, to the Public, that can in the least justify him—I freely allow, that it ought justly to reflect on myself; but, I do believe, that on this occasion, he leaned, without suffering himself to consider the Bias that inclined him. I wish his Worship had been persuaded to think, that it was his indispensable duty, as a Magistrate, to have encouraged any man in such an undertaking; for by preventing it, he has laid down a precedent for establishing an evil, that may do more injury than may ever be in his power to compensate for to the public: He knows that there are men, who, without the appearance of doing scarce a shilling's worth of public service, have assumed an air of importance, and supported it entirely

entirely by Gaming: How many young fellows, just beginning the world in trade, and young gentlemen of fortune, have been watched and waited on, and drawn into gaming, till they have been drained to the last shilling; and so circumstanced in life, in regard to trade and dependance on friends, that they have no more dared to make a discovery, than if they had daily been fleeced by common prostitutes, till at last reduced to such a state, that they have been avoided even by the men who have ruined them. On Instance of which may be mentioned, as the Person lived in a different part of the kingdom. A master of a Collier (a man in trust) who had a large family, was drawn into a public house, in this city, after he had received the money for his cargo, and there stripped of every shilling, to the entire ruin of him and his family. Sure no man of good credit can do a much greater injury to the public, than in giving public countenance to a known Gamester; for it is frequently on that public credit, that they gain private admission, and the company they keep,

must, either by Gaming, Wagers, or Bargains, inevitably support them. Thus, without running the hazard of a halter, of which some of them bear visible signs, they glean more money, and do more general injury, than all the Highwaymen, Housebreakers, and Footpads, in the country. By a due enforcement of the Law, the ruin of numbers might be prevented, and such men being cut off from such a means of livelihood, be obliged to become useful members of society: but the precedent which his Worship has lately laid down, will, I fear, intimidate any man, from attempting its prevention; and such men, may now sing, *O be joyful!* and say, If we are bound by the chains of the Law, **George Gipps, Esq;** will be our Deliverer!

Indeed, his conduct through the whole affair, has to me appeared so singular and precipitate, that, I believe, he never gave himself the least concern in being provided with a reason to defend it; nor, can I think, that he was urged by any other motive,

tive, than clearing his friend, and giving him my money. Mr. **Gipps** may, and is, I believe, a very fair dealer, and may have many virtues: and I will allow him, and every man, all the virtues they have, for we all have too few; nor shall I concern myself with any man, but where it directly concerns myself, and there the world must allow me a just right. And I here charge Mr. **Gipps**, with pressing for the decision of this affair; which, if it had been pressed upon him, he ought to have avoided: Nor can I avoid thinking, that in the Commission, he acted directly opposite to the Character of a Magistrate, a Gentleman, a Neighbour, and a man of reputation; nor could any man, of real sense and honour, have put on an appearance so reverse to his intention, though it had been in the pursuit of an honest purpose. Any man may judge the deception was great, which so allured me; but I shall not presume to lay that restriction on him, which he did on me, by attempting to debar him from the privilege of the Press: and, as a Precedent of this kind, is of a public concern, I loudly call upon him, to give such

Reasons

Reasons, as may appear justifiable to his own Conscience, his Country, and M E; or make Restitution for the Injury he has done me: For, I thank GOD, (who has made me so) that if my Reason and Conscience had been so over-ruled, by either Pride, Passion, Prejudice, Persuasion, or Interest, to have injured any man, and in such a manner—on a mature reflection—Remorse would have so struck me, that I should never have thought, any thing after, would have prospered with me; nor should I ever have been at rest, till I had made ample satisfaction.

As my blessed Attorney, had so often assured me, that Francis would pay the money; I asked, Whether he ever knew an instance of a man's being so delivered up? He answered, ‘ He could not help ‘ it; that it was all done by the Mayor and ‘ another Person.’ And this very Mayor, who appears to be the principal actor, had the Decency to tell me, in his own house:

‘ That

‘ That this Affair would destroy
 ‘ both my TRADE and my Spirits.’

Nothing could more amply answer the design of this man, and his friends, than the drawing in the Chief Magistrate, to be a Dupe and Champion in this respectable Cause; for his Worship giving him such a full acquittance, must inevitably clear him to the world, and condemn me: And the moment that he was clearly *white washed*, all the Men of Honour stood ready to varnish him, and every quarter of the city reverberated the villainy of Roch, for attempting to impair so fair a reputation, without the least appearance of foundation for it. It is evident, that these men never thought themselves ill used by me, till the Mayor’s Judgment convinced them of it; for, from the time that this affair commenced, till the hour which his Worship unbound the links of the Law, which was above four months, no man could behave with more complaisance, or appear more terrified, at the apprehension of its being made

made known to the Public : And, I really believe, that if he could have been assured, that I would have kept it a secret, the money would have been deemed a trifle for such a security ; for, as I observeyed before, Mr. Francis, on being first charged with it, invited me to dine with him, and tried every method to have it made up : and, Mr. Teele, a little before the Discovery, invited himself to my house, and before that, had several conferences on the same subject ; but now the mask was thrown off, and such desperate measures of resentment pursued, as are generally exercised in the defence of such a cause. Mr. Teele's violence was such, as drew some severe remarks on him, from those who had observed his obsequious behaviour before. Now it was Dog ! Rogue ! Scoundrel ! Dangerous Villain ! The infamous Villain ought to be avoided by all mankind ! Ye dirty Dog, I'd give my *Forty Guineas* to see you hang'd ! Indeed, such language is very painful to a man, who is not qualified to keep up such a conversation, as it obliges him to discover an inferior education : But

Mr.

Mr. Teele's consequence is so well known, that every thing he has said, or can say, shall never move me to bear the least resentment or prejudice against him; for, I am of such a placid disposition, that were I to be bit by a Mad Dog, though I might think it a misfortune that I happened to stand in his way; yet humanity would incline me, to wish, rather to see the wretched animal cured, than destroyed.

The next man who appeared on the list, was Sir Thomas Strumbalo, the Lime-burner, who having nothing but honest folks in his own family, directly started back, and went off, if he entered a room where I was, and seemed fully determined to be damned; that is, if ever he sat down in company where I was. This must appear, a prodigious mortification! to those, who know what a witty, humorous, engaging, entertaining, sprightly, facetious, fine fellow, of a companion, he is: But, I really think, Sir Thomas was too partial in his resentment; for he should have reserved, at least, three parts for Mr. W—t—
I —d,

—d, who, about that time, had so confoundedly drubbed his Brother, on account of some wager, and so variegated the colours of his countenance, that it was difficult to distinguish, whether he was a white man or a negro; and, at the same time, read over such a number of articles, from the Catalogue of Vices, as might have made the blood start in the cheeks of a Pimp or a Gambler. Now every little Gamester, who was his own herald, and deemed himself a Gentleman, and a Man of Honour, imagined he could not be intitled to an investiture of that order, without deeming me a d——d Scoundrel, for invading the Laws of Honor.

From the DAILY ADVERTISER.

[“ LAST night, a Tradesman going thro’ Smith-
“ field, had his heels tript up, and his watch taken
“ out of his pocket, by a fellow who came behind
“ him; but before the fellow could get off with his
“ booty, he held him fast, and cried out, A Pick-
“ pocket! Upon which the mob gathered, and a-
“ mongst them some of the fellow’s own accom-
“ plices

" plices, who being enabled by the profits of their
 " their daily practice, to make a genteel appearance,
 " became advocates for their comrade, declaring,
 " that they knew him to be a Man of Property, a
 " Gentleman, and a Man of Honor ; this so turned
 " the tables against the man, that he was deemed
 " the Pickpocket : so the fellow marched off with
 " his booty, and left him to the discipline of the
 " mob, who taught him the consequence of attemp-
 " ting to fully the reputation of a Gentleman, and
 " a Man of Honor."]

And to establish their sentiments, such a number of infamous stories were raised, as neither me, nor any person on earth, had ever heard before ; but none bore date, within the compass of ten, fifteen, or twenty years.

Mr. Charles Noble, as he could be employed but on one side, was a warm advocate ; and all for Honor ! He informed me, with great pleasure, That his friend Abraham, the Counsellor, had publickly declared, that tho' I had thus meanly sued Mr. Francis for the recovery of my money, that I had formerly won forty pounds of Mr. Carr Horn, the

butcher, and had pressed him so hard for the payment of the money, that he was obliged to sell some of his live stock, to pay me. As Mr. Horn did not then live in Canterbury, and but little prospect of his coming here, this story gained credit, on those who were unacquainted with the unsullied fountain from whence it sprung; but on Mr. Horn's returning to live here again, I went to him, and asked him, whether he had given authority for such a story? He told me, That he had heard it, and was ready to publish an Affidavit, that it was entirely false; and at the same time, called Mr. Francis by a name, which is sometimes given to Gamesters, and declared, that he had frequently picked him. But, as to my part, I do not know, that there is a man on the earth, that can say, with Truth, That I am a gainer by him, to the value of Forty Shillings, at any kind of game whatever; nor have I, to my best recollection, been in company with Mr. Horn for fourteen years past. The original of this story, could nowhere be produced, but from the inexhaustible, and only store,

of

of such a remarkable and opulent Slander Merchant : A fellow, who for above thirty years past, has been so forcing his foul mouth, and drivilling into every one's dish, that a man had need rather to be provided with a ladle than a spoon, to bang him about the nose, and prevent him from slavering into his mess. How frequently is he seen to approach people of good credit in the public street, with no other view, than to appear of consequence with them ; and tho' they have been as uneasy, as if a toad had been crawling about them, yet have wanted spirit to brush him off, for fear of being publickly mobbed in the street, and charged with something to the dishonour of themselves, their Grandmothers, or Great Grandmothers. It has ever been my pursuit, and opinion, that the man who tamely suffers an evil to prevail, by shewing it the least indulgence, is guilty of a general injury ; for he that gives countenance to a public nuisance, must certainly be an enemy to the Public. I commend the noble spirit of one of our Freemen, who being approached by him the last general election ; cried,

‘ D——n

‘ D——n you, keep off; for if you are seen speaking to me, the world will imagine that I am going to sell myself.’ If others would follow such a laudable example, and spurn him off, we should soon discover who wanted the execution of a dirty job, by observing those who closely adhered to him.

As men of the same fraternity ought to have some regard to each other, it gave me great concern, that some of them should be at such expence and trouble on my account; especially, Mr. Matson, Upholster, in Burgate-street; and Mr. Pout, ditto, in High-street; who, as I have been informed, have spent much time, and many a shilling, in delivering these new-coined Stories, at the different Alehouses, that would suffer them to repeat them; but I shall make no apology, for they know it is not in my power to return such compliments.

I am now going to enter on another scene: And, as Magistrates are always declaring themselves the watchful Guardians of our rights

rights and privileges, and eternally alarming us with the dreadful apprehensions, of having our rights invaded by a parcel of D——d S——s! who are daily selling of us for Places and Pensions; I shall here give an instance of that pious regard which they pay to Laws, when their friends and customers call upon them to dispossess a man of his right and property. The glorious word Liberty has, for some years past, been so loudly vociferated throughout the nation, that one might imagine three parts of the kingdom are ready to give up all, and follow the bare sound of it; but, I think, the present instance is sufficient to shew, how many there are, who are ready to break through every fence of both Law and Equity, that stands between them and a trifling interest. About this time, Sixteen Citizens, of which number, Six were Aldermen, and Five Common Councilmen, had agreed to erect a New Music Room: for which purpose, a convenient place was contracted for, to build it on, and each Proprietor (of which, I was one) entered into Bond, to pay Fifty Pounds each, at a stated

stated time, or forfeit the Sum of Ten Pounds : A short time after the Bond was compleated ; and some time after that, being then held in Contempt by the Men of Honor, a Friend of mine informed me, that Two of the Proprietors, would withdraw their Subscriptions, if I continued one of the number. On this information, I went to a meeting, which at that time, was appointed to adjust the business of this our New Instituted Hum-strum Corporation, and there desired to know, who the men were, who objected to my being a Proprietor, and their reasons for it. All were silent for some time ; till, at last, Mr. *Lawrence Tuck*, Tin-man, and Singing-man, told me, ‘ That, on account of the Diff^cpute, which subsisted between Mr. Francis and me, that the families of the *Fox* and *Francis's*, would neither of them be subscribers, if I continued a Proprietor.’ I thought, it was but reasonable, that the first attention, of this New Instituted Body, should be paid to Families of the First Distinction ; and, as the loss of their subscriptions, might amount to Half a Crown

per

per annum to Mr. Tuck, besides the profit of tinkering for them, it was certainly a motive sufficient to incline him; for, I believe, those who know his penurious disposition, would be inclined to believe, that, for that sum, he would give up the Dean and Chapter, if he had not a prospect of making more of them.

The Mayor, George Gipps, Esq; and Alderman Long, were there, who both declared, That they thought the Proprietors had no business with the dispute between Mr. Francis and me; this, I mention, to shew how men can sin in private, against the sentiments which they declare in public.

I had an intimation, before I went amongst them, that the present Right Worshipful G—— F——, Esq; was the leading Puppet, and knew the wires by which he was moved; he, on hearing Alderman Long give his sentiments, called him aside, and with the assistance of Mr. Tuck, in about five minutes, made a com-

pleat convert of him. As soon as he returned, I perceived there was something very extraordinary a coming; for, after adjusting himself, and looking round to command that attention which is due to every great man, he began, and made, what may really be called, a *Long Speech*, with such an accent! such emphasis! such air! such attitude! such gesture! such gesticulation! such grace! and such a grimace! that, with the embellishments to his oratory, he so confounded both his oration and his auditors, that after a speech of about fifteen minutes, which chiefly consisted of that regard which all men ought to pay to interest, it could be but barely discovered, that he thought such great families ought not to be disengaged. I was really surprized, that Frend's eloquence, should so immediately make so deep an impression on so wise a man, never before having an instance of any one's taking the least notice of any thing he said; but, as I knew Frend, I was not in the least surprized to see such a sudden alteration in him: for, when I called on him, to invite him to the meeting amongst the rest;

the

the story being then made known to many, I told him a part of it; and, on hearing of it, he cried, ‘ Ah, D——n them, I know ‘ them both; by G——d, Tom, I’ll be ‘ there !’ But, poor man, he little thought then, either of his customers, or the approaching election for Mayor; and setting aside these motives, I really believe, that the poor thing, meant no more harm, than a monkey does when he breaks a piece of china. But, I would advise him to be cautious for the future; for I knew a Justice of the Peace, in my country, who, for just such another foolish action, went by the name of, *The Monkey Magistrate*, all the days of his life; but, indeed, any one, of the least charity, would forgive him on this occasion, who knew what a violent passion he had for serving the publick, as Chief Magistrate: and as the Marquis and Sir Thomas, are equally ambitious of serving their friends, on such public occasions, no agreement could be more reciprocal, nor dare he, at any time, deny them any thing; for they are gentlemen, of such prodigious interest, that they can pour in their

powers, in such a powerful manner, that every opposition bends down before them. We are told, that all men have their Hobby Horses, and nothing can more elevate the spirits of these Gentlemen, than to be thought of consequence sufficient to ride the Freemen at elections: and, indeed, I have seen them, on the bare imagination of it, appear with as much glee in their countenances, as the little boys do, when twirled round on the wooden horses at the country fairs; but they have always acted with such prudence, in regard to their families, that, I believe, they were never charged with spending a guinea of their own on such occasions; but when armed for battle with other men's limbs, they engage like lions, and lay out most furiously. It surely must be greatly to the advantage of any candidates, who have such powerful advocates in their interest; for Sir Thomas has frequently owned, That two guineas will do more from him on such occasions, than three from the hand of any other citizen: by this, we may see the power of oratory, and the ascendant which men of great

great parts gain over the multitude. It must certainly be of infinite service to the public, when men of such powers and abilities declare themselves as patriots, and ever appear in the interest of the most worthy and respectable men ; and of this there could not be a stronger instance, than in Sir Thomas's shewing himself in the favor of George Frend^a, when such a man as Alderman Lofty was his competitor. These remarks may be thought too trifling, in regard to those who are the subject of it ; but as men who are really fit for the office seldom give themselves any concern about it ; and as the most respectable part of the citizens, who have real interest, seldom exert it, they may see the consequence of giving up a right of such material consequence to the public, by leaving it in the power of such

^a A servant maid of Sir Thomas's standing amongst some others at one of Frend's elections, said, " She knew that Frend would have it, for her master voted for him, and all the Gentlemen voted as her master did." } Smoak of the Lime-Kiln.

men,

men, who, through a vanity of being thought men of consequence, and appearing at the head of a mob, frequently deprive us of a good and useful magistrate, and being fond of riding, make Hobby-horses of the greatest Asses in this city.

Frend being thus engaged, and being appointed, (or appointed himself to receive the subscription money) I sent mine to him on the day of Payment, but he was not in the way to receive it. I sent it the day following, and he refused to receive it; and I was soon after informed, that they had appointed a committee of the proprietors, who had agreed to strike me off, to make room for Mr. Edward Agar, Wine-seller, in St. George's-street, an intimate companion of Mr. William Francis. The Gentlemen being satisfied in the safety of their proceedings, on information that I had no relief but from Chancery—and they were fifteen to one against me!—This to be sure was a very honest foundation to proceed on: so, I was cast off for Mr. Edward Agar—the building compleated, and

and taken possession of, and my bond held in their custody. Here were sixteen men, jointly concerned in the same purchase, equally bound with each other to perform the contract, and each under the same penalty by bond, to forfeit ten pounds each on non-payment of the money. Surely, if sixteen thousand pounds had been left by will, to have been equally divided between us, my title to an equal part of it (both by Law and Equity) could not have been stronger than it was, to a part of the purchase contracted for ; nor could the infamy be greater in concealing the will that so intitled me, and defrauding me of my share of the money, than it was in keeping my bond in their possession, and excluding me from my right in the contract. From the number of fifteen which were concerned in this reputable undertaking, to the honor of the city, there were no less than Six Aldermen, and Five Common Councilmen. It might be imagined, that if there were Eleven men, that could be picked out of any Fifteen in the kingdom, who had principles to concert such a measure,

sure, respect or regard to the public opinion, would have deterred them from the execution of it. When a set of Magistrates, who ought to be looked on in every city as the bulwarks of our rights and properties, shall presume to make the strength of their numbers, a fence for their frauds, it is sufficient to call forth the Laws of reason and nature, and rouse that resentment which has frequently discovered itself among the people. If these men had been possessed with the least part of that virtue which ought to attend their stations, they would (as men in trade) have considered what might have been the consequence of stigmatizing a man in business, and thus casting him out from amongst his neighbours; for the world may be ignorant, that they did it from so mean a principle as continuing the custom of the friends and relations of Mr. Francis, and supporting his honour, without the least regard either to my interest, or their own reputation. I hope there are not Fifteen men in this city (except they were draughted from the corporation) that would, in defiance of both

Law

Law and Equity, thus cast me out, to make room for Mr. Edward Agar : yet, notwithstanding this, I think, we have some few men, both Aldermen and Commoners, who, for honor and integrity, would be an ornament to any corporation in the kingdom ; but, alas ! what are they amongst so many ? I think these Gentlemen have given a confirming evidence, of the frequent abuses which the public receive from incorporated bodies : for when collected together, they can, under the banner of secrecy, concert such measures, as few of them dare, separately, own to the public : And, I dare say, that when this mirror is held before them, that there are not Four in the Fifteen, but what will deny that they had any hand in it.

The motives which generally actuate men in public affairs, are interest, indolence, and precipitate engagement. There are too many who directly give themselves up to the most trifling reason, and the most trifling men, when the least appearance of interest stand in view. Others, when they

see the least appearance of a party prevailing, though directly opposite to their reason and conscience ; yet, for fear of offending, and through a supine indolence, and neglect of public good, stand neuter, and never oppose either argument or interest against it. Others, who on the first uproar, directly fall in with the cry, and when once entered (though convicted by reason) think it a dishonor to fall from their party ; yet the clamour may originate from as absurd a cause, as when one yelping cur sets all the dogs in a village a barking. Of this, I think, we have had a general instance, when even the snarling of the most rapacious hound in the nation, has frequently set half the kingdom a growling.

As to the present Worshipful Floating Feather, let it glide away its tide, unnoticed, on the surface : for, as there are right and wrong, it would be inhuman to charge that thing with wrong, except it could be ascertained, that it has sense sufficient to distinguish between the lines. But as to you, Mr. Worshipful George Gipps,

you

you were then Mayor, one of the Proprietors, and knew the executing of this scandalous affair. He, who to perpetuate his name, destroyed the Ephesian Wonder, appeared contented with that ONE object. If you were inclined to have your name recorded, could not the glorious opportunity, which your Arbitration gave you, have satisfied your ambition, without committing another act of the same kind, at the same time, and on the same man? but finding yourself so severely censured, I suppose you thought it would be some sanction to your former proceeding, in having so many of your brethren to join you in the latter.

As the first Magistrate in the capital City, is looked on as an example to the people, in maintaining law and right—if it were possible for such a man, to be guilty of such a palpable invasion on property, I believe, the resentment of the free-born Sons of London, would scarcely be satisfied in rolling him from the Mansion-house into the Tower Ditch.

As you, Mr. Alderman Long, are not only a City Magistrate, but likewise Clerk to the Country Justices ; pray, Sir, be so kind, as to inform us, *in a Speech*—Whether the share you had in that Music Job, be CITY, or COUNTRY Law ? But, Jest apart ; as you are an Attorney, and a public Minister of Justice, you ought to be provided with a very good reason, for committing an act, which I believe you must have known to be contrary to Law, and which had so plain an appearance of being attended with such injurious consequence to a citizen, and thereby shewing an example to the people.

The great, the wise, and good King ALFRED, instituted such an excellent Code of Laws, as made that happy reversion in his dominions, which, in so short a space of time, changed it from the wildest disorder and rapine, to a state of the greatest tranquillity and security, in defence of every man's right and property ; and, as he knew that the happiness and safety of his subjects depended on a due execution of them, he took the following methods ; which

which I have here extracted from Rapin's History. Page 95.

" If with respect to private persons, the
 " rigour of the Law was somewhat abated,
 " it was not so with corrupt Magistrates:
 " to such, Alfred was ever inexorable. He
 " was very sensible it would be in vain to
 " oblige his subjects to an exact observance
 " of the Laws, if care were not taken,
 " that the Magistrates should give them a
 " good example. History takes notice of
 " his hanging four and forty of them, in
 " the space of one year, for not doing
 " justice."

And in Note the 5th.

" He used to examine the causes tried
 " in his absence, and in case he found any
 " injustice done out of favour or interest,
 " he punished the Magistrate severely. If
 " they pleaded ignorance, he sharply repre-
 " manded them," and asked, ' How they
 " durst presume to take a commission, to
 " determine about life, or property, when
 " they

“ they knew themselves so wretchedly un-
 “ qualified?” “ Justice was so strictly ad-
 “ ministered in his reign, that, though there
 “ were gold bracelets hung up at the part-
 “ ing of several highways, no man durst
 “ touch them.”

Now as this good man was so indefati-
 gable in constituting good Laws, and was
 convinced of the happiness that his sub-
 jects enjoyed in the punctual execution of
 them—What punishment would he have
 inflicted on a Magistrate, who would have
 dared to presume, in a most deceitful man-
 ner, to cut a subject entirely off from the
 benefit of them, and at the same time
 make an attempt to bind him from com-
 plaining of the injustice that was done
 him? Or, what would have been the pu-
 nishment to a set of Magistrates, who, from
 the strength of their numbers, would, in
 defiance of all right and property, cast a
 man out from his equal share of a purchase
 which he had amongst them, and to which
 his claim was as lawful as if it had been his
 natural birth-right?

Indeed,

Indeed, and please your Worships, if the people should take it into their heads, to think, that such Worships would have been hanged in the reign of such a merciful King, I believe, they will stare confoundedly, when they see you in pomp at the Cathedral Church ; and there, under that awful roof, appear in the presence of a free, and Christian Congregation.

What kind of punishments he inflicted on the little Underminers of the Law, we know *not a bit of it* ; but, I think, I have met with an old tradition, which informs, That after stripping off their skins, and converting it into parchment, their names and the nature of their crimes were wrote on it, and hung up in their court-halls, as an example to others of the same fraternity ; just as we hang up dead vermin in our fields and gardens, to frighten away thieves, of the same species, and deter them from devouring the fruits of our labour.

But,

But, as there are no such punishments inflicted now, the very evening before his Worship gave his judgment, that very evening the Musical Magistrates cast me from their Band; which plainly appears, that some of them had been tuning their instruments together, and were prepared, in concert, to give a good example to the people.

Thus, that respect and honour which was designed as an ornament and defence to good Magistrates, was lent as a shield to defend these men from public censure, and give them a sanction for abusing me. For the honor of having such Worships on their side, so exalted their insulting spirits, that the moment they were cleared, they sallied forth in quest of recruits; and, as there are too many of that order every where (having the Mayor's Warrant) they, in one day, raised such a number of forces, as were prepared to mob me in every quarter of the city.

A body of these men, prevailed on Farley, at the Fountain—who came to my house,

house, and informed me, that Teele, the Family of the Francis's, Hopkin Fox, Baker the surgeon, Edward Agar, Upton Jennings, and some others of the same stamp, would quit the company that frequented there of a Saturday evening, if I continued to come; and though it was a club that I had frequented above twenty years, he told me, That if I come there, he must oblige them, by shewing me into another room. Indeed, I did not think it strange, that some of these men should discover such a terror in seeing of me.

As soon as Farley was gone, I was visited by a Friend, who knew the tame manner in which these men behaved, till the Mayor had released them, and told him the compliment I had just received; but he being a person who never cared to enter into party affairs, endeavoured to divert the subject by the following Story :

“ A Criminal at the bar, being ordered several times by the judge, to turn about and look at the person who appeared there

" to accuse him ; at last answered, and
 " said, That he really had not assurance
 " enough to stare the Gentleman in the
 " face, when there were so many present
 " who suspected that he had picked his
 " pocket."

The next compliment I received was from Daniels, at the Fleece, at whose house there was a Weekly Company, which I had belonged to many years ; he came, and acquainted me, That he had orders not to admit me, and, that if I offered to enter the room, he must prevent it. I asked him by whose orders he delivered me such a message ; which he absolutely refused to tell me. Of this I acquainted several of the most respectable persons who belonged to it—and they reprimanded him for it, and ordered him to wait on me, and make an apology : notwithstanding which, the next time I went to his house, he endeavoured, in the most rude manner, to prevent my going up stairs. Mr. Charles Noble, who belonged to the same company, went into the house with me ; but as soon

soon as he saw Daniels insult me, he directly turned his back, and I was obliged to call to him before he would return; this is the man that Mr. Francis proposed, as my intimate friend, to be one of my arbitrators; in which I knew he discovered great prudence, well knowing Noble's manner of backing his friends; but, as he was ever deemed to have a LITTLE Honor, he could not avoid joining in company, on this occasion, with those who had about an EQUAL share, and add his slender stock to theirs. When I entered the room, I asked the gentlemen, Whether they had any objection to my company? They, every one (except Teele, who saluted me with his natural language) declared, They had not, and that they had told Daniels so. This was not sufficient for Daniels, he came twice to my house, knowing there was more profit in six bottles than one, and in a mode, which, I thought, appeared different from his nature, stood at my door, and in the most rude manner, warned me from coming to the club. A few evenings after I

went to his house, and he stood at the bottom of the stairs, and assisted by his drawer, barred my passage, and prevented my going up. This was done in the presence of a number of people, who, I suppose, were invited there to see me thus insulted. All this was done to oblige Men of Honor: and, indeed, when either Honor or Life is at stake, it is not to be wondered that such violent struggles are made in their defence. These were a few of the insults I received on this occasion; all which was owing to the treacherous manner, in which I was delivered up by that Magistrate, **George Gipps**, and therein shewing such an example to the people.

I wish he had lived in the days of King Alfred.

A man who had been a bankrupt seven times, and had made it the study of his life to have cheated mankind, would scarcely have met with such public abuse from the people

people he had injured, as I have received from the people, who, I imagine, have injured me. When a set of men, thus united together, in insolence, and such sort of honour, shall attempt at making themselves formidable, and boast of their consequence, and what they call Interest, by collecting together a number of their own principles, they may raise, by degrees, and not only make themselves formidable, but likewise (as in the present case) strike a terror on any man who shall attempt to do himself justice on any of the gang.

As I have here recited Part of the Abuses which I have received from these men—this may fall into the hands of many, who may imagine, that my general character deserved such treatment — such an opinion, would entirely destroy my present intention, which is to convince the world, that no character can be secure, when such men receive such countenance and encouragement from the Magistrates who have given such an example to the people; therefore, on this occasion, it may be necessary to make an appearance

pearance in my own favour; and as the courts of justice allow reputation to be defended; I hope, every just person, on this occasion, will allow me to plead my own cause: in which, it cannot be supposed, that I will put the council on the other side in possession of so great a triumph, as to leave it in their power, to contradict what I shall assert; but, as every honest advocate exerts himself in favour of his client, I hope I shall be allowed the privilege of a Barrister.—It has ever been the highest of my ambition, to stand fair in the sight of good and reputable people: and, if it may be deemed an honest pride, I am confident, none such will think it ostentation, if, on this occasion, I give a short Tract of my long residence here in Canterbury; and, if no part of it can be disputed, I then appeal to my fellow Citizens in particular, and the Public in general—Whether I have merited such treatment? And, Whether any of these men, or all of them put together, have been of that consequence and public service to this city, that I have been.

AS A TRADESMAN.

When I first opened a shop in the Cabinet Trade, in Christ Church Yard, both the Trade, and its Professors, were reduced so low, that there was not decent Furniture, for a single Chamber, to be purchased in all the City ; by constant application, I so increased my trade, that in a few years I employed such a number of men, as might be deemed a reputable business in London ; and now the trade is so well established, that there are few cities, in proportion to its size, that can shew such a number of decent furnished shops ; and though a stranger, and friendless, and my beginning as low as a beginning could be made on, yet I advanced in trade, with that caution, in regard to myself, and the Public, that I never knew what it was to be pressed by a creditor. I have ever lived in a state adequate to the profits of my business. I have never interfered in any man's business, where I had not a title to ; nor was I ever in a scheme, that had the least appearance of over-

over-reaching, or taking an undue advantage in my life. I have ever been so free from contention, that, except in general elections, or affairs like this, which have called on me to defend myself, I never knew what contention was ; and when these Men of Honor first sallied forth on me, there was not a person on the earth with whom I had the least discord ; nor did I designedly ever say a rude thing, in my life, to any man, except invited to do it by a strong provocation ; and then, these few lines present, may evince, in what a gentle manner I have returned it.

AS A CITIZEN,

I think, I have been of some use ; but as the foundation of it was laid so many years ago, and at present, may be forgot ; I think, on this occasion, I may presume to mention it. After I had paid for my freedom of the city, a demand was made on me of Four Pounds, by a company, who were authorised by the Corporation, to make

make that demand, and had been an imposition on the Citizens time immemorial. Every Freeman, before he could earn a shilling must submit: and if they dealt in various articles, were subject to several fines, beside annual expences to each. Even a Widow could not carry on her busines in right of her husband, without being thus oppressed. Every man on opening an ale-house was subject to the fine; and young men were so absolutely hand-cuffed by the Corporation, in regard to their right of freedom, that a Shoemaker, a Taylor, or a Carpenter, after serving a legal apprenticeship, dare not make a pair of breeches, a pair of shoes, or drive a nail, till they had raised money to redeem themselves from this state of Slavery. This, I judged, on the first demand, to be an imposition, and disputed it several times with the Chamberlain of the City; but not then being circumstanced to stand against the Corporation, and they being determined to prosecute me, I paid the money: but at the same time told them, That, if ever my abilities could sustain me against them, I would, in that point, try the force of their

Charter; and about seven years after, I proclaimed a defiance: soon after which hostilities commenced, I was very happy in an honest Attorney, who lived in London, and had no connections with the people I contended with; and though my cause was far from being clear (as my cause with Francis really was) having the almost unfathomable depths of Charters to explore; but as he had a good opinion of my suit, and knowing I had spirit to go through with it; I am confident, that no interest could have prevailed on him, to advise me to have delivered myself up; and I was so well satisfied with his proceeding, that Gratitude obliged me to make him the following compliment in my publication, *On the Abuse of Corporation Government.*

“ Mr. William Chamberlain, of Crane-Court, London, was my Attorney, who gave me a convincing proof of his abilities, by having his opinion on every part of the proceedings confirmed by such counsel as we applied to; by the right use he made of my adversaries blunders; by the endeavours he used to abridge instead of lengthen-

lengthening the proceedings: these, with his general character fully convinced me that he was above the mean temptations of the law." But he was void of that low, mean craft, which generally possesseth the hearts of men, whose heads are void of a tolerable understanding.

The suit was carried on for some years, with all that litigious chicanery and expence, which is too frequently exercised by powerful bodies in support of unjust causes; and though I was every day labouring for the money to support it, yet I still maintained my defence, till I made them relinquish their unlawful plunder, relieved the public from their impositions, and shewed my fellow citizens what it was to be free-men. When they had desisted about three years, they again attempted to revive their impositions, and would have acquitted me, if I would have stood neuter; but finding they neglected that great charge, given them in their Charter, " Of being a terror to evil-doers," I found myself obliged to take the Rod of Correction in my own hand, and exercise on them what they

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neglected to the Public; and by publishing *The Abuse of Corporation Government*, so exposed the Illegality of their demands, that both they and their attempts became despicable to the Public; by which, I hope, that valuable branch of Freedom is established to posterity. Do not look on this, fellow Citizens, as ostentation, it is a fair and honest Bill, which gives me a just and equitable demand on you all, if not for respect, at least, to discountenance such abuses as I have received from the Actions, Institutions, and Examples of these Magistrates, the very rank of men, from whose tyranny and oppression, I have, with so much labour and expence, redeemed you; but, I am far from aiming at them at all, as there are some among them, whom, I know, have abhorred these proceedings, whose names there is no occasion to mention, as their general characters, for sense and probity, so particularly distinguish them: and it gives me great concern, that Mr. Gipps should be drawn into the execution of two such scandalous jobbs; a man, who has ever bore so fair a character; and though he

... and so others but may

may start, on reflecting at what he has done; yet, I am confident, he has too much honor to deny it.

Scripture informs us, That even the Egyptians had gratitude to reward public services; for Joseph, who was carried a slave amongst them, was rewarded with honors, and had a chain of gold put about his neck, only for saving the people from starving. Then, sure, in Great Britain, and in such a high-mettled age as this; when the world, and all it contains, and even life itself, are deemed mere butterflies, in regard to liberty, it might be thought impossible, to find out a Chief Magistrate, that would have studied and contrived to cut a man off from the benefit of the Law, and the Privilege of the Press, which are the main pillars of that Liberty; and a man who had so amply extended the bounds of it to the people over whom he presided, and he likewise to join in the number of Fifteen, to cast him out, and make an example of him, for attempting at another public piece of service; in endeavouring, by law, to make a precedent, that might secure

secure men from ruin by the depredations of Gamesters.

Good God ! What Genius brought me from Ireland, to give ^a Twenty-four Pounds for the freedom of a city, in this land of liberty, that should fall under the government of two such Magistrates in one year.

It is the meanness of the people, who encourage such abuses, by meanly submitting to them, for fear of being injured in business. But, you may give my compliments to them, and let them know, that with gratitude I own, I have hitherto had a sufficient share of such customers, as add reputation to every tradesman they deal with : and such, I am under no apprehensions of offending ; but were it to be so, as I never aimed at a morsel of bread, but what I could earn, or desired to live an hour longer than I can support the character of a man, there is nothing on

^a The Fine to the City is but Twenty Pounds ; but being an Irishman, my Fine to the Company was more.

earth shall awe me from this public piece of justice; and this is the kind of Liberty, that I will either be ruined by, or die in supporting. And as Reason and Conscience are my commanding officers, I will never desert them, to list under such despicable banners, as may terrify me from doing myself justice, or betray me to avoid and turn my back on my old acquaintance; which many of mine, on this occasion, have most despicably done, for fear of offending their friends and customers, who supported these Men of Honor.

I wish this subject could have admitted a gentler stile; but when a man has spirit, that spirit must rise, in proportion to the aggravation, as quicksilver is influenced by the power of the air. They have seasoned the mes, and much good may it do them. Yet, I hope, there are none of these men, who have thus injured and slighted me, will think, that I am mean enoughto bear them any resentment, but what I can be justified in. Upon my soul ! I do not: and, I can safely say to them all, as I did to Francis, That there is not one of them, I wish a Flea to bite.

My

My conscience being now, in that respect, as clear as a good Catholic just come from confession, and had much rather that this gentle dose should kindly operate, and purge away such foul humours, than that they should be washed off by their being separately drawn through a horse-pond. No; I would not have them made such an example of to the people.

As I am not a Chief Magistrate, I dare not presume to debar any man from the Privilege of the Press; but, if I could, it is far from my disposition; therefore, I invite any man concerned here, publickly to defend himself: but if any does attempt it, let him do it like a man, and put his name to it, that the value of the metal may be known by the stamp. And as I have here advanced myself against such a multitude, I hope the Public will see fair play; and if any hint, inuendo, paragraph, or publication, appears on this occasion, without the Author's name, I hope every honest man will look on it as assisting the midnight agger of a murdering bravo. As the spirit of Liberty has maintained the Privilege of

of the Press, that we may publickly breathe forth our injuries, it would be the highest violation to profane such a Guardian Angel, by unjustly aspersing any man, or order of men. And though the present occasion has engaged me to treat so freely of Magistrates ; yet, I should envy any man, who, I thought, had more virtue than myself, in holding a higher respect, honor, and duty, to good men and good Magistrates, than I do ; and hold it a duty to act as a subaltern under them, in pointing out such vices as are under their jurisdiction.

I think Mr. Francis cannot now dispute any part here that is relative to him, as he was charged fully with it in the presence of such a number of men; at the same time I also repeated it in the presence of them all; Mr. Sladden and the Mayor being then present.

You know, Mr. Sladden, that my Counsel says, "Money is certainly recoverable;" to which he answered, "Yes." And do not you know that my Evidence is suffici-

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ent to justify me to the world. To which he answered, " Undoubtedly it is." Now as he admitted his opinion to be such, and at the same time heard me refuse an arbitration, and say, that " I would not take " the money if laid down in an amicable " manner." What can be thought of this man as an Attorney, who privately, without my knowledge, persuaded the Mayor to take the sole arbitration of this affair on himself; and was privy to the terms which was agreed on between them, to cut me off from every thing, and afterwards brought me a bill, of near Ten Pounds, for good services?---Mr. Gipps owns, that Slodden was privy to the terms. And though Mr. Gipps has been operated on to do me so vile an injury; yet, still, I would rely as much on his word, as Hamlet^a did on his Father's Ghost. It is such actions as Slodden's, that dubs a man a Gentleman, and qualifies him, as a companion, for Men of Honor.

^a I'll take the Ghost's word for a thousand pounds.

SHAKESPEARE.

As

As to that Counsellor of theirs, who is always retained in such honourable causes, and has, on this occasion, been their Street and Alehouse Advocate ; he may be assured, that whether he mobs, slavers, or writes, (which with him are much the same) that the field shall be entirely resigned to him ; and I had much rather engage in single combat with a second Achilles, than oppose my character against his ; for the great * Achilles was penetrable in the heel ; but his reputation, I fear, is invulnerable in every part.

^a Achilles was a brave, jolly, stout, young Grecian Hero, but a little sulky in his disposition ; he was unlawfully begotten by a Mortal on the body of a Salt Water Goddess ; his Mamma, when he was a pretty little Boy, dipt him in the river Styx, by virtue of which waters, there was not the least bit about him, that could be wounded by either man or woman, except the heel, by which she held him ; and that hand, which might have given life to other things, left Death's door open to her darling son, for there the mortal shaft of Paris pierced him.

As

As I have so frequently mentioned Mr. Teele's name in this Narrative, I would not have it imagined, that I mean to strike at his general character; far from it: and, I must, in justice to him, and acquittance to myself, say, That I have often played alone with him at the same game, after the company had departed, and never was any material difference in winning between us; and he has always been so far from taking the advantage, that he has frequently permitted me to score my honors, at times that the rules of the game would not have admitted of it: and when any little dispute has arose, he has given that up in private, which he would have disputed in public; nor have I ever heard any thing of him, that had the least appearance of being mean or dishonorable.



